



Town of Jericho
DEVELOPMENT REVIEW BOARD
67 Route 15
Jericho, VT 05465

VOL: 328 PG: 144-146
INST: 11007259

Via Certified Mail

October 29, 2015

Gabriel Handy
125 College Parkway
Colchester, VT 05446

RECEIVED & RECORDED
Nov 03, 2015 11:37A
DOCUMENT TYPE: FINDINGS OF FACT & COND
DOCUMENT NUMBER: 11007259
JESSICA R. ALEXANDER, TOWN CLERK
JERICHO, VT

RE: 374 VT Route 15, 2-Lot Subdivision

Dear Mr. Handy:

At a meeting of the Jericho Development Review Board held on 24 September 2015, the Development Review Board heard your request for a Minor Subdivision to subdivide a single parcel of land of ± 0.78 acres into two lots of ± 0.41 acres and ± 0.37 acres. The property is located at 374 VT Route 15 in the Village Center (VC) and Character-Based (CB) Zoning Districts. The Parcel Code is VT374.

After review of the application, the Board voted to approve your request with conditions. Listed below are the Findings of Fact and Conditions that were approved by the Development Review Board on October 29, 2015:

FINDINGS OF FACT

1. The Subdivision Plat entitled "Boundary Survey & Subdivision Plan, Gabriel Handy, 374 Main Street Jericho, Vermont" dated May 4, 2015, last revised September 24, 2015, prepared by Chase & Chase Surveyors & Septic Designers Inc. shows the total acreage of the parcel to be subdivided as 0.78 acres.
2. The proposal will create Lot #1 (0.41 acres), Lot #2 (0.37 acres). Lot #2 contains an existing home. Lot #1 is a newly created lot.
3. The parcel is located in the Village Center Zoning District and Chapter District (CD) 3 of the Character-Based Zoning District.
4. Development of Lot #2 is not proposed at this time. As required by Zoning Regulations, § 13.2.9.1.3, a Development Plan is not required at the time of subdivision review. Any future development of these lots will be subject to the requirements of §13.4, "Development Plans & Standards".
5. The neighboring Calvary Episcopal Church owned parent parcel VT374 and used it as the vicarage until it was subdivided and sold in 1997. When subdivided, the church parking lot was unable to be separated from the parent parcel due to lot size restrictions in the Land Use Regulations at the time. A 20-foot shared driveway easement exists on the VT374 serving as access to the parking lot. The parking lot is currently used by the church under an informal agreement.

6. Lot #1 will be accessed by the existing private drive that also benefits the neighboring church.
7. Representatives from the Episcopal Church expressed concern about the potential of stormwater runoff from the future development of Lot #1 onto the church property as Lot #1 slopes down toward the church.
8. The applicant has submitted a wastewater permit to the state for Lot #1 and intends to have an approved permit prior to recording the Mylar. Lot #2 has an existing wastewater permit.
9. The applicant received an acceptance letter from the Jericho Water District dated 6/10/15 and notification from the ANR stating that the applicant has completed a project application for Lot #1.
10. The existing Right-of-Way along VT Route 15 is of sufficient width for the future development of a sidewalk along the entire road frontage lots #1 and #2.

CONDITIONS

1. The subdivision shall adhere to the Subdivision Plat entitled "Boundary Survey & Subdivision Plan, Gabriel Handy. 374 Main Street Jericho, Vermont" dated May 4, 2015, last revised September 24, 2015, prepared by Chase & Chase Surveyors & Septic Designers Inc. submitted to the Jericho Development Review Board.
2. Within 180 days of approval by the Development Review Board, a Mylar copy of the Final Plat shall be submitted for recording by the applicant, signed by the Chair of the Development Review Board and filed with the Jericho Town Clerk.
3. The reconfigured lots shall be monumented in accordance with the *Town of Jericho Land Use & Development Regulations*, Section 11.4.10.
4. The subdivision Mylar for recording shall include all easement(s), rights-of-way, and building envelopes.
5. Any future development of the lots is subject to Planning Department review and approval in pursuant the Development Plan standards in §13.4 of the Zoning Regulations prior to the issuance of a zoning permit.
6. The Town Engineer shall review and approve a stormwater plan for the development on Lot #1 prior to the issuance of a Zoning Permit. This plan shall be designed to retain all stormwater on site.
7. The purchaser for Lot #1 shall be shown a copy of this approval prior to any written contract of sale.
8. The wastewater permit shall be recorded in the Land Records prior to the recording of the Mylar.
9. All other improvements shall adhere to the requirements of the *Town of Jericho Land Use & Development Regulations* in effect as of this date.
10. The applicant will obtain and abide by the conditions of all other required local and State permits.

11. The project will be constructed and subsequently operated consistent with all Findings of Fact set forth above and in any other permit obtained by the applicant for this project.
12. Substantial revisions to this plan shall require the further review and approval of the Development Review Board at a publicly warned hearing.
13. By acceptance of these conditions without appeal, the applicants confirm and agree for themselves and all successors in interest that the conditions of this decision shall run with the land and shall be binding and enforceable.

Motion by Joe Flynn to approve the request by Gabriel Handy for a two lot subdivision of parent parcel VT374. Seconded by Jeff York. Those in favor: Barry King, Stephanie Hamilton, Jeff York, Joe Flynn, and Chris West. Opposed: None. Abstained: None. Motion carried 5-0. The application was approved.

In accordance with 24 V.S.A. §4471 any Interested Person may appeal this decision within 30 days by filing a notice of appeal by certified mail, sent to the State Environmental Court with a copy to the Town of Jericho. Address: *Vermont Superior Court, Environmental Division, 2418 Airport Rd., Suite 1, Barre, VT 05641-8701*. The current filing fee for an appeal is \$262.50, payable to Vermont Superior Court, and it must be sent in with the notice of appeal. Anyone with questions about an appeal can call the Court at 802 828-1660.

Sincerely,



Barry J. King, Chair
Jericho Development Review Board

cc: Gabriel Handy, owner
Town Clerk
Lister - Town of Jericho
Selectboard
Interested Persons

